

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE BARRAGAN CONTRERAS, JUAN
ALONZO ORELLANA, AND JORGE
YEPEZ, Individually, and on behalf of all
others similarly situated as Class
Representatives,

Plaintiff,

v.

ROSANN LANDSCAPE CORP., A.F.A.
MANAGEMENT CORP., AND ANA
MARIA BIRLESCU,

Defendants.

Case No.: 7:17-CV-6453-CS

FINAL JUDGMENT

WHEREAS, pursuant to Rule 23 of the Federal Rules of Civil Procedure, on November 18, 2020, the Court granted preliminary approval of the Settlement Agreement and Release between the above-captioned Parties in this Litigation and Non-Party the Frank Auricchio Revocable Living Trust (the “Agreement”) and approved the form of the Notice of Class Action Settlement (“Class Notice”), and authorized the mailing of Class Notices to the Class Members (“Preliminary Approval Order”);

WHEREAS, on March 19, 2021, the Court entered its Order Granting the Parties’ Motion for Final Approval of the Class Settlement and Plaintiffs’ Motion for Final Approval of Service Awards, Attorneys’ Fees, and Costs (the “Final Approval Order”), granting final approval to the settlement;

WHEREAS, in the Final Approval Order, the Court found that the Settlement is fair, reasonable, and adequate within the meaning of Federal Rule of Civil Procedure 23(e), the Fair Labor Standards Act, and all other applicable law;

WHEREAS, the Court has found that the content of the Class Notices sent to Class Members (as defined in the Agreement), and the efforts made to apprise the Class of the proposed settlement fairly and adequately informed Class Members of the terms of the settlement, was consistent with Federal Rule of Civil Procedure 23 and due process; and

WHEREAS, in the Final Approval Order, the Court approved the Settlement Administrator to make payments and distributions and take all measures described in the Agreement as called for in the Final Approval Order;

NOW, THEREFORE, IT IS HEREBY ORDERED that:

This Court hereby enters final judgment in this case incorporating the terms of the Agreement and approving the Agreement as fair, reasonable, and adequate, and dismisses this case with prejudice, in accordance with the terms of the Agreement and the Final Approval Order.

Class Members (as defined in the Settlement Agreement) received due and adequate Notice under Rule 23(c)(2) and the Court finds them, as well as Defendants Rosann Landscape Corp., A.F.A. Management Corp., and Ana Maria Birlescu, and the Frank Auricchio Revocable Living Trust, to be bound by this Final Judgment.

Without affecting the finality of this Final Judgment in any way, the Court reserves exclusive and continuing jurisdiction over this action, the Plaintiffs and all other Class Members,

the Defendants and the Frank Auricchio Revocable Living Trust for the purpose of supervising the implementation, enforcement, construction, and interpretation of the Agreement, the Preliminary Approval Order, the Final Approval Order, and this Final Judgment.

It is so ORDERED this 19th day of March, 2021.



Honorable Cathy Seibel
United States District Judge